

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

SHANNON EARL TROCHE, :  
Plaintiff, : NO. 1:12-CV-00176  
: :  
v. : ORDER  
: :  
DONALD MORGAN, Warden :  
Defendant. : :

This matter is before the Court on the Magistrate Judge's Report and Recommendation (doc. 22), in which she recommends that Defendant's Motion for Judgment on the Pleadings be denied as moot because Plaintiff's motion to amend his complaint was granted subsequent to the filing of Defendant's motion. No objections to the Report and Recommendation have been filed as of the date of this Order.

Having reviewed this matter pursuant to 28 U.S.C. § 636, the Court finds the Magistrate Judge's Report and Recommendation thorough, well-reasoned, and correct and thus affirms and adopts it in its entirety. Defendant's Motion for Judgment on the Pleadings is thus DENIED AS MOOT (doc. 11). Defendant is free to re-file the

motion or any other motion attacking Plaintiff's amended complaint.

SO ORDERED.

Dated: March 21, 2013

s/S. Arthur Spiegel  
S. Arthur Spiegel  
United States Senior District Judge